

their shot at their American dream. While we cannot guarantee happiness for any of them, those of us in this Chamber can pave the way with an abundance of opportunity.

As the dreams and stories of so many Americans are interweaved, this American portrait—this tapestry of blues and grays, of pastels and earth tones—will keep this Republic in good shape. It is our diversity that makes us great. As long as we pass on our American values that have seen this Nation through so many dark nights, we will succeed through current and future trials and conflicts.

May God bless this great Republic.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

#### BORDER SECURITY

Mr. THUNE. Mr. President, shortly before Easter, I joined a number of my colleagues on a visit to the border to get a firsthand look at the crisis that we are facing. And make no mistake, this is a crisis. Customs and Border Protection apprehensions at our southern border last month were at their highest level in nearly 20 years—20 years.

U.S. Customs and Border Protection reported more than 172,000 encounters with individuals attempting to cross our southern border in March alone. And that is just the individuals they encountered. We don't know how many individuals came across without being identified and are currently residing illegally in our country.

Nearly 19,000 unaccompanied children crossed our southern border in March alone, the largest number ever recorded in a single month. That is 19,000 children making an incredibly dangerous journey without their parents, at the mercy of smugglers, human traffickers, or any other dangerous individual that they might encounter.

Needless to say, the surge at our border is having very serious effects. Border Patrol agents have been pulled off the border to deal with the influx of migrants and unaccompanied children, leaving the borders undermanned. And the government is straining to deal with processing the massive number of people who have come across the border. One facility that we visited was at 16 times its allotted capacity.

The administration has had to deploy the Federal Emergency Management Agency—that is right, our government's disaster recovery Agency—to help deal with the influx of unaccompanied children. And the Department of Health and Human Services has been forced to open emergency shelters and ask the Department of Defense for temporary housing on bases.

Despite the pandemic, adequate COVID safety measures have been unable to be maintained because the numbers needing to be housed have been so great.

While the administration would like to attribute this crisis to the previous administration or anything but the

current President's policies, the truth is, President Biden bears a lot of the responsibility for the situation. His Presidential campaign made it clear that border security was not going to be one of his priorities.

And since taking office, what signals have he and his administration sent? On his very first day in office, President Biden rescinded the declaration of a national emergency at our southern border; he halted construction on the border wall; and he rescinded a Trump administration order that called for the government to faithfully execute our immigration laws, including removals for visa overstays and limiting funding to sanctuary cities—all on his first day.

And that is not all. The President's Department of Homeland Security also issued guidelines that same day pausing deportations, except under certain conditions. The effect of President Biden's actions was to declare to the world that the U.S. borders are effectively open.

That may or may not have been what President Biden and his administration intended, but it certainly has been the effect. The message received by prospective migrants has been, if you can make it to the U.S. border and claim asylum, whether legitimate or not, even if you illegally cross the border, you are in.

Trump administration policies like "Remain in Mexico" and the third country asylum rule relieved pressure on our overburdened immigration case-work and enforcement efforts at the southern border. They allowed for asylum claims to be vetted long before individuals reached the U.S. border, removing the need for people to uproot themselves and attempt a dangerous border crossing only to be sent back home again.

But in his rush to distance himself from President Trump and appease the open borders wing of the Democratic Party, President Biden eliminated these policies, which has helped create the humanitarian crisis we are currently facing.

Under the Biden administration, there is little deterrent or fear of punishment for those who seek to enter the country illegally, knowing that they can claim asylum and join the backlog of roughly 1.3 million cases while they wait in the United States. And the humanitarian crisis that we are seeing at the border is the result.

President Biden and Democrats would like to present themselves as the compassionate alternative to the Trump administration, but there is nothing compassionate about policies that invite illegal immigration, that encourage people to attempt the dangerous border crossing, to run the risk of death or injury or exploitation or disease.

Inviting the surge at the border also shows a significant lack of compassion or consideration for Americans, particularly those in border communities.

While many of those trying to cross our borders illegally are simply looking for a better life, which is not an excuse for going outside our established legal pathways, there are also a lot of dangerous people—dangerous people attempting illegal border crossings: drug traffickers, weapons traffickers, human traffickers, gang members. And when Border Patrol agents have been pulled off the border to help manage the immigration influx, it is not going to be too surprising if we discover that more of these dangerous individuals have made their way into our country. And that represents a real danger to Americans.

Americans living in towns and cities along our southern border are at the greatest risk of having their communities disrupted by border-related criminal activity, but the effects of drug trafficking and other criminal activity across our southern border are felt throughout our entire country.

President Biden helped cause this crisis. There are no ifs, ands, or buts about it. And he could start ending this crisis today by making it clear that his administration will enforce immigration laws and that the way to come to this country is to come legally. He could also help by recommitting our country to serious border security along our southern border, including construction, continued construction of the border wall.

For the sake of the unaccompanied children and all those trying to cross our borders and for the sake of the Americans who have been endangered by his policies, I hope—I hope that President Biden will take action.

I yield the floor.

#### VOTE ON GENSLER NOMINATION

Mr. CRAPO. Mr. President, I ask unanimous consent that the rollcall vote scheduled for 11:45 begin now, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Dakota (Mr. ROUNDS) and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 148 Ex.]

#### YEAS—53

Baldwin	Durbin	Luján
Bennet	Feinstein	Lummis
Blumenthal	Gillibrand	Manchin
Booker	Grassley	Markey
Brown	Hassan	Menendez
Cantwell	Heinrich	Merkley
Cardin	Hickenlooper	Murphy
Carper	Hirono	Murray
Casey	Kaine	Ossoff
Collins	Kelly	Padilla
Coons	King	Peters
Cortez Masto	Klobuchar	Reed
Duckworth	Leahy	Rosen

Sanders  
Schatz  
Schumer  
Shaheen  
Sinema

Smith  
Stabenow  
Tester  
Van Hollen  
Warner

Warnock  
Warren  
Whitehouse  
Wyden

The yeas and nays resulted—yeas 53,  
nays 45, as follows:

[Rollcall Vote No. 149 Ex.]

YEAS—53

NAYS—45

Barrasso  
Blackburn  
Blunt  
Boozman  
Braun  
Burr  
Capito  
Cassidy  
Cornyn  
Cotton  
Cramer  
Crapo  
Cruz  
Daines  
Ernst

Fischer  
Graham  
Hagerty  
Hawley  
Hoeven  
Hyde-Smith  
Inhofe  
Johnson  
Kennedy  
Lankford  
Lee  
Marshall  
McConnell  
Moran  
Murkowski

Paul  
Portman  
Risch  
Romney  
Rubio  
Sasse  
Scott (FL)  
Scott (SC)  
Shelby  
Sullivan  
Thune  
Toomey  
Tuberville  
Wicker  
Young

Baldwin  
Bennet  
Blumenthal  
Booker  
Brown  
Cantwell  
Cardin  
Carper  
Casey  
Collins  
Coons  
Cortez Masto  
Duckworth  
Durbin  
Feinstein  
Gillibrand  
Graham  
Hassan

Heinrich  
Hickenlooper  
Hirono  
Kaine  
Kelly  
King  
Klobuchar  
Leahy  
Lujan  
Manchin  
Markey  
Menendez  
Merkley  
Murphy  
Murray  
Ossoff  
Padilla  
Peters

Portman  
Reed  
Rosen  
Sanders  
Schatz  
Schumer  
Shaheen  
Sinema  
Smith  
Stabenow  
Tester  
Van Hollen  
Warner  
Warnock  
Warren  
Whitehouse  
Wyden

NOT VOTING—2

Rounds

Tillis

The nomination was confirmed.  
The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 53, Brenda Mallory, of Maryland, to be a Member of the Council on Environmental Quality.

Charles E. Schumer, Ron Wyden, Maria Cantwell, Richard J. Durbin, Robert P. Casey, Jr., Jeanne Shaheen, Tim Kaine, Angus S. King, Jr., Tammy Duckworth, John Hickenlooper, Gary C. Peters, Brian Schatz, Patty Murray, Tina Smith, Mazie Hirono, Sheldon Whitehouse, Alex Padilla.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Brenda Mallory, of Maryland, to be a Member of the Council on Environmental Quality, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Dakota (Mr. ROUNDS) and the Senator from North Carolina (Mr. TILLIS).

The PRESIDING OFFICER. Are there any Senators in the Chamber wishing to vote or to change their vote?

Barrasso  
Blackburn  
Blunt  
Boozman  
Braun  
Burr  
Capito  
Cassidy  
Cornyn  
Cotton  
Cramer  
Crapo  
Cruz  
Daines  
Ernst

NAYS—45

Fischer  
Grassley  
Hagerty  
Hawley  
Hoeven  
Hyde-Smith  
Inhofe  
Johnson  
Kennedy  
Lankford  
Lee  
Lummis  
Marshall  
McConnell  
Moran

NOT VOTING—2

Rounds

Tillis

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 45.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Brenda Mallory, of Maryland, to be a Member of the Council on Environmental Quality.

The PRESIDING OFFICER. The Senator from Delaware.

#### NOMINATION OF BRENDA MALLORY

Mr. CARPER. Mr. President, the Senate has now invoked cloture on the nomination of Brenda Mallory, President Biden's nominee to serve as the Chair of the White House Council on Environmental Quality. First, let me just say thank you. I want to express my thanks to—and I am sure, on behalf of Brenda Mallory—53 Senators who voted in favor of cloture so that we can move forward and now debate her nomination. We thank each Senator who cast that supporting vote. But I rise in support of Ms. Mallory's nomination to this important position. This is a position a lot of folks have never heard of, but it is a hugely important one. And I urge our colleagues to now join me in supporting, in confirmation, a highly, highly qualified nominee as well.

The Chair of the White House Council on Environmental Quality—or CEQ, as we call it—may not be the first position many Americans think about when they consider consequential Presidential appointments. But it is a crucial body—critical body—with considerable sway over our Nation's health and environment.

One of my mentors was a Republican named Russ Peterson, a great leader of the DuPont company for many years, Governor of Delaware, and later served as Chair of the White House Council on Environmental Quality during the administrations of both Richard Nixon and Gerald Ford.

Governor Peterson used to refer to his role as Chair at the Council on Environmental Quality as similar to that of an orchestra leader, an orchestra conductor. He said: You don't play the instruments as the Chair of the CEQ, but you try hard to ensure that everyone in the orchestra is playing in harmony. The CEQ Chair coordinates action across the entire government in order to ensure that Federal Agencies are working in harmony and that every Federal decision advances the objectives of economic growth, of better public health, and of stronger environmental quality.

While CEQ Chairs do work much like an orchestra leader, a conductor, to achieve harmony across Federal Agencies, they must also pursue balance. That balance includes at least three components: one, growing our economy; two, ensuring a just and healthy society; and, three, protecting our environment for current and future generations. Those are the clear objectives of CEQ as laid out in the National Environmental Policy Act of 1969, known as NEPA, the landmark law that created CEQ, often referred to as “the Magna Carta of environmental laws.”

According to its six pages of statute, NEPA's purpose includes—and I am going to quote—“efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man.” I would add “and woman.” NEPA enshrines democracy by giving the American people a voice to help decide the fate of Federal decisions. For 50 years, NEPA has sought to ensure environmental protection, public health, and the notion that the American people should have a say in the Federal decision-making process that affects their lives.

Like our Constitution, NEPA is one of our Nation's most enduring and replicated laws. The same principles of democracy and citizen participation enshrined in our Constitution are also enshrined in NEPA.

Sadly, the Trump administration's CEQ largely walked away from the tenets of this 50-year-old law, issuing drastic rollbacks that undermine much of its very mission. Instead of advancing the CEQ's three objectives—one, a more productive economy; two, a healthier society; and three, a cleaner environment—the previous administration sadly repeatedly compromised public health and environmental quality for the sake of less redtape.

So one of the many tasks ahead for the next CEQ Chair will be to get us back on track—to harmonize our efforts to address the climate crisis, safeguard public health, and ensure that